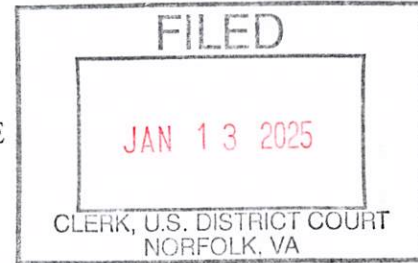


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Newport News Division



UNITED STATES OF AMERICA

v.

FRANCISCO ESPARZA RAMIREZ
a/k/a: "ARMANDO PIZZANO,"

Defendant.

Case No. 4:25 mj 4

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Christopher J. Cruz, being duly sworn, depose and state:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) in Norfolk, Virginia. I have been employed with ICE for more than seven years. I was previously employed as a Police Officer with the Federal Emergency Management Agency (FEMA) beginning in April 2014. I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code.

2. My duties as a Deportation Officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators. I have received training in general law enforcement, including training in Title 8 of the United States Code.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant for FRANCISO ESPARZA RAMIREZ (hereafter referred to as ESPARZA RAMIREZ), an alien who was found in the United States after being denied admission, excluded, deported, or removed, or having departed the United States while an order of exclusion, deportation, or

removal was outstanding, subsequent to a conviction for commission of an aggravated felony, in violation of Title 8, United States Code, Section 1326(a) and (b)(2).

4. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, but it is not intended to include every fact and matter observed by me or known to the United States.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

5. On or about October 15, 2023, ICE learned that the James City County Police Department within Williamsburg, Virginia, which is in the Eastern District of Virginia, arrested and charged ESPARZA RAMIREZ with assault on a law enforcement officer and destruction of property.

6. Your affiant performed records checks which confirmed that ESPARZA RAMIREZ is a native and citizen of Mexico who was removed from the United States on or about March 16, 2017, at or near Alexandria, Louisiana. ESPARZA RAMIREZ did not have legal authorization to reenter or remain in the United States.

7. Your affiant also reviewed ESPARZA RAMIREZ's immigration file maintained by U.S. Citizenship and Immigration Services. The file, also known as an alien file, revealed that ESPARZA RAMIREZ is a citizen and national of Mexico. The file contained an executed Immigration Service Form I-205, Warrant of Removal/Deportation, bearing ESPARZA RAMIREZ's photograph, fingerprint, and signature. This form showed that ESPARZA RAMIREZ was removed from the United States on March 16, 2017, from Alexandria, Louisiana.

8. On August 23, 2024, your affiant interviewed ESPARZA RAMIREZ at the Virginia Peninsula Regional Jail within Williamsburg, Virginia. During this interview your affiant confirmed ESPARZA RAMIREZ identity by utilizing his fingerprints on a handheld biometric scanner EDDIE that is a direct link to law enforcement information systems and ICE databases.

9. ESPARZA RAMIREZ's alien file lacks evidence of any immigration benefit, document, or status that would allow him to legally enter, be admitted, pass through, or reside in the United States. Further, ESPARZA RAMIREZ has not obtained permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following his formal removal.

10. ESPARZA RAMIREZ's records contain documents which show that ESPARZA RAMIREZ was convicted of an aggravated felony offense specifically, felony assault and battery on a law enforcement officer on October 10, 2024, in the Circuit Court of James City County in Williamsburg, Virginia in violation of Virginia Code Section 18.2-57, for which ESPARZA RAMIREZ was sentenced to a term of imprisonment of five (5) years.

CONCLUSION

11. Based on the foregoing, your affiant submits that there is probable cause to believe that on or about October 15, 2023, in James City County, Virginia, within the Eastern District of Virginia, FRANCISCO ESPARZA RAMIREZ an alien who was removed from the United States on or about March 16, 2017, at or near Alexandria, Louisiana, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

FURTHER AFFIANT SAYETH NOT.



Christopher J. Cruz
Deportation Officer
U.S. Immigration and Customs Enforcement


This affidavit has been reviewed for legal sufficiency by Assistant United States Attorney Devon E.A. Heath.

Reviewed:



Devon E.A. Heath
Assistant United States Attorney

Subscribed and sworn before me this 13th day of January 2024, in the City of Norfolk, Virginia.



The Honorable Robert J. Krask
United States Magistrate Judge

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